

## Summary Minutes

### **Emergency Medical Services Regulatory Board**

Executive Committee Meeting

Wednesday, November 10, 2010, 8:30 a.m.

2829 University Avenue SE

Minneapolis, Minnesota

#### Members Present

Jim Rieber, Chair (by phone)

Paula Fink-Kocken, M.D. (by phone)

Pat Lee (by phone)

Kevin Miller

Gary Pearson (by phone)

#### Guests

#### Staff Present

Katherine Burke Moore, Executive Director

Melody Nagy

Mary Zappetillo

### **I. Call to Order**

Mr. Rieber called the meeting to order at 8:37 a.m.

### **II. Approval of Agenda**

Mr. Lee moved approval of the agenda. Mr. Miller seconded. Voting yes: Mr. Lee, Mr. Miller, Mr. Pearson, and Mr. Rieber. Motion carried.

### **III. Approval of Minutes**

Mr. Rieber said that he wants a transcript of the minutes of the closed session from September 27. Ms. Burke Moore said that she will have to check with Attorney General's office regarding a transcription.

Mr. Lee asked about the item in the minutes that refers to meetings with the unions. Ms. Burke Moore said that she met with the MAPE and AFSCME union representatives by telephone and I have identified a good contact with both of them. She said that staff issues are handled by the Executive Director – not the Board. Mr. Miller said that this was part of a budget request to include Mr. Rieber in those discussions. Ms. Burke Moore said that she does not agree this is a staff issue.

Mr. Rieber said that if Ms. Burke Moore is directed to do something by the Board even if you do not agree with it you must complete the tasks requested by the Board unless there is something illegal. Mr. Rieber asked if this request was illegal. Ms. Burke Moore said that there is nothing illegal in the request. Mr. Rieber said that there is nothing that would prohibit the task being completed.

Mr. Miller moved to approve the minutes from September 27. Mr. Pearson seconded. Voting yes: Mr. Lee, Mr. Miller, Mr. Pearson, and Mr. Rieber. Motion carried.

Mr. Miller asked about the ranking of job classes for the budget document. Mr. Miller asked if the ranking has been completed and is this ready to go to the Board and legislature. Ms. Burke Moore said that the document she presented is a ranking order. She said that this could be provided differently if that is what the Board members want. Mr. Miller asked if this could be discussed further under the budget item.

Mr. Rieber asked about a conference call with regional programs. Ms. Burke Moore said that she and Ms. Landucci conducted a conference call with the regional programs. Mr. Lee said that we discussed seat belt fund expenditure reporting.

Mr. Miller moved approval of the October 6 minutes. Mr. Lee seconded. Voting yes: Mr. Lee, Mr. Miller, Mr. Pearson, and Mr. Rieber. Motion carried.

#### **IV. Legislative Discussion**

Mr. Miller said that the Legislative Committee met yesterday and discussed several issues including the housekeeping bill. Mr. Miller provided the highlights of the discussion. Mr. Miller said that much of this is language changes. Ms. Zappetillo described the change regarding IV infusion and IV therapy.

Mr. Miller described the language for an in service ambulance. Mr. Rieber said that he has questions about a spare truck that is not used. Does this vehicle need to be fully equipped. Mr. Miller said that when it does not have the equipment it is not in service because it is not equipped. Ms. Zappetillo said that this adds a definition of an “in service” truck.

Dr. Fink-Kocken joined the meeting.

Mr. Miller read the language regarding the medical directors’ authority for use of equipment and annual training of personnel. The medical directors’ authority is limited to being within the scope of practice of the ambulance service license.

Mr. Miller said that we are proposing to change “current driver’s license” to “valid driver’s license”.

Mr. Miller described the language proposed for mutual aid. Mr. Miller commented that we had MAA and public input at the Legislative Committee meeting.

Mr. Miller said that Mr. Norlen, Mr. McAlpin and Mr. Doyle discussed the language for clarification of equipment storage, maintenance and sanitation. This moves the language from rule to statute. Mr. Miller said that shoulder harnesses would be required equipment. Mr. Miller said that this is not a very expensive change. Mr. Miller said that this is in the best interest of patient safety.

Mr. Miller said that we discussed the statewide radio plan and deleting the rules to refer to the current radio plan. Mr. Miller said that he attended another meeting where this was also discussed. Mr. Norlen provided clarification of the intent of the language. Mr. Rieber said that we will need to appoint a committee to review the communication plan. Mr. Miller said that the plan was not read by the majority of the members present at the meeting. Mr. Rieber asked that Ms. Nagy include a Board agenda item to appoint a communications plan committee.

Mr. Miller said that the Legislative Committee discussed changes in education language. Ms. Teske is working on proposed language. Mr. Miller said that the Board has approved the standards but not approved the language changes. Mr. Miller said that this could result in potentially more hours for a refresher. He said that he was informed that this may decrease the hours because the curriculum is competency based. Mr. Miller said that the Board needs to have a discussion on how to handle this.

Ms. Burke Moore said that we are having public meetings and are receiving comments. Mr. Miller said that he found out this could reduce the hours in class. Mr. Miller said that the education agencies want to move forward with this. Dr. Fink-Kocken asked how you prove competency. Mr. Miller said that they would demonstrate the competency. Dr. Fink-Kocken said that you would have to have educators available to evaluate the competency. Ms. Zappetillo said that this is included in the current law. This will update the names of personnel and this will include a scope of practice for each level. This will bring a national standard to Minnesota. Mr. Miller commented that Ms. Teske presents this information well.

Ms. Burke Moore expressed her concern about the broad scope of the mental health language being proposed for CRP. Mr. Miller said that we will move forward with the AG recommendation and this language is similar in other boards. Ms. Burke Moore said that information received is also reviewed by the CRP and that provides a check and balance. Mr. Miller said that this may cause concern as proposed legislation.

Mr. Rieber said that the change in titles for personnel is the direction to go for the future to be up with what is in the nation. Mr. Rieber said that there will be concerns in the rural areas regarding training. Some agencies may not survive the transition. This will raise the bar on the instructors. Mr. Miller said that this is a paradigm shift. Mr. Rieber said that this is where we want to go. Mr. Rieber said that we continue to have recruitment and retention issues. We may want to consider another ambulance level sometime in the future to have intercept available.

Ms. Burke Moore said that Ms. Teske is receiving input on what is happening in other states. Mr. Rieber asked if this will be proposed this year. Mr. Miller said that this needs to be discussed at the Board level. This will be a big task for staff. Mr. Rieber said that this should be separate from the housekeeping bill. Ms. Burke Moore agreed.

Mr. Rieber asked for summary information for the Board meeting. Ms. Burke Moore said that Ms. Teske and Ms. Zappetillo are working on this and will give an overview at the meeting. Mr. Miller asked that Ms. Teske provide the overview as she did during the Legislative Committee meeting.

## **V. Budget Discussion**

Ms. Burke Moore said that she just received a budget packet and she will distribute that information to Mr. Rieber and Mr. Pearson.

Ms. Burke Moore said that she wanted to discuss budget initiatives. Ms. Burke Moore said that three initiatives are being proposed and will be submitted to MMB and then if approved they will move forward. Ms. Burke Moore said that with the administration change we will not know some of the timelines for this process. Ms. Burke Moore said that she anticipates that the governors budget will be released in early February.

Ms. Burke Moore described the three initiatives.

- restore budget cuts to regional programs (42,000)
- restore a million dollar funding cut to the Cooper Sams Longevity Program
- a base budget increase for the agency (122,000 for the first year and 150,000 for second year) to deal with staffing and contract increases. The MNSTAR contract will be expiring and we will need funds to cover the contract increase.

Ms. Burke Moore said that these three items can be proposed but removed if there are objections. Mr. Miller said that this should be referred to the Finance Committee. Mr. Pearson asked that a Finance Committee meeting be set up to discuss this. Mr. Pearson said that he expects that there will be significant cuts and wanted to know why we would ask for this additional money.

Ms. Burke Moore said that there are two different parts of the budget process. We want to show how our budget has been affected. If we do not put in an initiative we give the impression that we are doing fine with less staff. This is a strategy. Mr. Pearson asked if this would be one proposal or separate proposals. Ms. Burke Moore said that it could be either way.

Mr. Rieber said that the Republican platform was to balance the budget within our means and not increase government. Mr. Rieber said that if he asked for more money at his current job he would no longer be employed there. The state has a 6 billion dollar deficit and we should not ask for increases when there is no money. We need to survive until the economy recovers. Mr. Rieber said that he would only consider an increase for the MNSTAR contract. Mr. Miller said that the rest of the Board may agree with this position.

Ms. Burke Moore said that she is presenting these are options for consideration. The MNSTAR contract will need an increase. The 3% increase will happen. There are other things we did not ask for.

Mr. Rieber said that the regions should ask for money separately not through the EMSRB. Mr. Rieber said that there is not any extra money.

Dr. Fink-Kocken said that there is a point that if there is continued attrition we will not have volunteers willing to provide service. If we are doing just fine they will take more money from us. We need to request more funding. To maintain our level of customer service we need a certain amount of dollars. If we do not say anything others will get any extra money requested.

Mr. Pearson said that we need to express that we have already been cut and it affects our public service. Mr. Rieber said that we need to prepare our budget statement to reflect this. Mr. Pearson said that the finance Committee needs to have this discussion.

Ms. Burke Moore said that this is a budget year and agencies are expected to ask for what we need. This gives the status of the EMSRB budget.

Mr. Rieber asked what we are not providing that is critical today. Ms. Burke Moore said that we should be using our data and we do not have a data coordinator to provide information to services. Mr. Rieber said that our critical mission is to credential and conduct ambulance inspections and investigations. He said that we need to limit our activities to core functions. Data is not part of our core function. There is more that could be done if we had more money and more staff. Mr. Pearson said that we are completing the functions, but not to the same level as in the past.

Mr. Pearson said that Ms. Burke Moore provided a handout of the 5, 10, 15 and 20 percent reductions. Is the Executive Committee satisfied with this document as it was

presented? Ms. Burke Moore suggested that the document may need to be shortened. Mr. Rieber suggested bullet points to make the document more concise.

Mr. Pearson said that he has not had an opportunity to meet with Ms. Burke Moore. He repeated that we need to have a Finance Committee meeting. Mr. Miller said that he is concerned about proposed changes during legislative session.

Mr. Rieber asked that the reductions document be revised and distributed to the Executive Committee.

Mr. Pearson said that he forwarded the document regarding attrition of staff. He asked for more explanation of the document. Ms. Burke Moore said that she provided this information without employee names but does not have the document with her today. She wanted to know what the committee wants for in a ranking. Mr. Miller said that would be information on who would be eliminated first and a ranking based on critical functions of the agency. Ms. Burke Moore said that this would also involve the unions. Mr. Rieber said that the union does not control if a position is eliminated. Ms. Burke Moore said that she can provide the document in a different format. Mr. Miller said that if the union would be involved then it would be reduced by seniority. Mr. Miller said that he is looking for a ranking by critical function. Mr. Pearson asked if this could be included in the bullet points to the legislature. Mr. Rieber said that they would be interested in the finance not the positions.

Ms. Burke Moore said that this should be separated by operations and regions. Mr. Miller said that this would be the full budget. Mr. Rieber said that EMS operations should be a title for one category and split out the other categories. Mr. Miller said that there would be a caveat for regional funding.

Mr. Pearson said that the day to day budget is being well managed. The biggest issue is how to move forward.

Mr. Rieber said that he wanted to add another agenda item for a discussion of ambulance inspections for services that have gone through a national certification process (CAMS).

Mr. Rieber said that he also wanted to add a closed session to discuss the Executive Director's performance to the Board agenda.

**VI. Other Business**

None.

**VII. Next Meeting**

Mr. Rieber suggested Executive Committee meetings at 8:30 a.m. on the following dates and these will be telephone meetings.

December 1

December 15

December 29

**VIII. Adjourn**

Mr. Miller moved to adjourn. Mr. Lee seconded. Voting yes: Dr. Fink-Kocken, Mr. Lee, Mr. Miller, Mr. Pearson and Mr. Rieber. Motion carried. Meeting adjourned at 9:52 a.m.